

TOWN OF WALLACE
MONTHLY TOWN COUNCIL MEETING
September 10, 2020
7:00 pm

The Wallace Town Council held its regularly scheduled monthly meeting in the Council Chambers at the Town Hall.

The following Governing Body members were present:

Charles C. Farrior, Jr., Mayor
Council Member Frank Brinkley (via Zoom)
Council Member Jeff Carter
Council Member Francisco Rivas-Diaz
Council Member Jason Wells

The following member of the Governing Body was absent:

Council Member/Mayor Pro-Tem Wannetta Carlton

Also Present were:

Larry Bergman, Town Manager	Anna Heath, Town Attorney (via Zoom)
Jackie Nicholson, Town Clerk	Rod Fritz, Planning Director (via Zoom)
Jimmy Crayton, Police Chief	Gage King, Airport Manager
Brent Dean, Public Services Director (via Zoom)	Chris Martin, Tax Administrator (via Zoom)
Shameshia Fennell, Finance	Sharon Robison, Library Director
	Joseph Merritt

Mayor Charley Farrior called the regular meeting to order with a quorum of the governing body members present. Council Member Frank Brinkley gave the invocation.

The Pledge of Allegiance was recited.

Presentations

None

Adoption of the Agenda

Mayor Farrior called for discussion of the agenda and asked that the following items be added: a closed session to evaluate the Manager, approval of a financing agreement and attorney opinion

letter, discuss right-of-way acquisitions for the 830 project and update on the Yates property under old business. Council Member Jason Wells made a motion to adopt the agenda with those additions. The motion was seconded by Council Member Francisco Rivas-Diaz and approved by unanimous vote.

Public Comment Period

NONE

Consent agenda

Minutes from the August 13, 2020 monthly meeting, and the August 26, 2020 continued meeting

Mayor Farrior called for discussion of the minutes. He said that on page 6 of the August 13 minutes there are two paragraphs that say the same thing, one of them should be removed. There being no other additions or corrections Council Member Rivas-Diaz made a motion to approve the minutes as corrected. The motion was seconded by Council Member Jeff Carter and approved by unanimous vote.

Tax Report

Tax Administrator Chris Martin presented the Tax Report for the period ending September 10, 2020. Mr. Martin said that year to date collections were up 35.17% and 10 year overall up 27.21%. Payment plans were in the amount of \$1,308.01. He also provided the Council with updated information from Zacceaus regarding delinquent accounts.

Tax Releases

The following were presented to the Council for release:

Acct. #	Name	Reason	Amount
87	Ernestine Baldwi	Elderly Exemption not applied	\$308.99
789	J.F. Energy Corporation	Incorrect value	\$454.46
2464	Robert Raynor	Incorrect value	\$117.80
3084	Diversified Energy, LLC	Out-of-town	\$3,702.18
3084	Diversified Energy, LLC	Out-of-town	\$3,351.13
3384	David Sink	Incorrect value	\$43.40

Council Member Brinkley made a motion to approve the releases which was seconded by Council Member Wells and approved by unanimous vote.

Budget Amendments

Finance Director Shameshia Fennell presented Budget Amendment #3 which related to Cares Act funding. Council Member Wells made a motion to approve Budget Amendment #3 which was seconded by Council Member Carter and approved by unanimous vote.

Old Business

Discussion of Right-of-Way (R-O-W) Acquisitions for the 830 Project

Mayor Farrior said that the majority of easements needed for this project are in the (NCDOT) North Carolina Department of Transportation R-O-W and recent legislation does not require easements from individual landowners, the Town can get encroachment agreements from NCDOT. There are three properties where individuals will have to provide easements because the line will go through their property. Town Attorney Anna Heath added that the statute provides that NCDOT could require the line to be moved at some point. Attorney Heath recommended drafting an indemnification/hold harmless agreement stating that Duplin Land Development will be responsible for paying any legal fees, costs, settlements, etc. that arise from NCDOT requiring the sewer line to be moved, a lawsuit from a land owner and/or anything else related to this project.

Council Member Wells made a motion to move forward with the use of NCDOT Encroachment Agreements, pursuant to NCGS 136-18, rather than easements, for installation of sewer lines for the 830 project. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Financing Agreement and Attorney Opinion Letter to Purchase Vehicles for the Police Department

Finance Director Fennell presented the financing agreement and Attorney Opinion letter for Council Approval which had been previously approved. During the discussion there were some questions regarding the dates and the interest rate so the Council took no action on this matter.

Update on Former Super 10/Yate Building

Attorney Heath said that the complaint for the demolition foreclosure was filed on September 2, 2020 and she has mailed the summons and complaints for service on all the parties but she does not know if the parties have been served yet. Jesse Yates, the County of Duplin, the judgement lienholder, and the deed of trust lienholder were all served by certified mail, return receipt requested. Allison Ratcliff and Melissa Yates were served by the Sheriff's Department in the

county where they reside. The parties have thirty (30) days from the date they are served to file an answer.

New Business

Discussion of Requests for Street Lights

Manager Bergman he received two (2) requests from citizens regarding street lights. Manager Bergman said the first was on First Street which is a dead end street. There is no light at the end of this street as there is on other dead end streets.

Council Member Rivas-Diaz made a motion to approved the installation of a street light on First Street. The motion was seconded by Council Member Wells and approved by unanimous vote.

The second request is on Prosperity Drive which is circular. Manager Bergman said it was reported that a property was vandalized and there was not sufficient light for the security camera to capture any useful images. The light spacing on this street is similar to Circle Drive.

Council Member Wells made a motion to deny the request for Properity Drive which was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Adoption of Resolution Approving Financing Terms for Two (2) Police Vehicles

Finance Director Shameshia Fennell said that bids had been solicited for purchasing two (2) vehicles for the Police Department. These vehicles are in the FY 2020-21 budget. Three bids were received with the lowest being from Truist Bank (BB&T) which Ms. Fennell recommended the Council approve.

Council Member Wells made a motion to adopt a Resolution Approving Financing Terms through Truist Bank, \$69,730.50 for three (3) years at an interest rate of 1.49%. The motion was seconded by Council Member Carter and approved by unanimous vote.

Financial Reports

Ms. Fennell presented the monthly financial reports and commented on difficulties with the payment plans for past due utility accounts. She said that people did not want to sign the agreements because if a payment was missed their water would be cut off. Ms. Fennell added that many people are still struggling financially.

Hurricane Reports

Ms. Fennell presented the reports.

Council Reports

Council Member Carter said Reid Casteen asked about *paving his driveway*. Public Services Director Brent Dean said it is scheduled for Tuesday or Wednesday of next week.

Council Member Carter asked about paving Stokes St. as Jimmy Johnson said he had been promised it would be paved by two (2) former Public Services Directors. Manager Bergman will contact Mr. Johnson about this.

Mayor's Report

Mayor Farrior asked the Council about another meeting this month. They scheduled a second meeting on September 24 at 6:00 pm.

Mayor Farrior said he received a complaint regarding Tracy Matthis property on Brice St.

Department Head Reports

Council Member Wells reported the Fire Department has started hose testing and the boat was damaged when it was hit by another one of their vehicles.

Police Chief Jimmy Crayton reported that Capt. Jimmy Blanton has retired and there are three (3) candidates in the running for his position. Conditional offers of employment have been made to two (2) individuals for police officer positions. Chief Crayton said he made a proposal to the Wallace ABC Board for additional funding for alcohol education and presented the new patch design for the department.

Finance Director Shameshia Fennell asked if there were any questions from her written report and said the field audit is scheduled for Oct. 7 & 8, preliminary information has already been provided.

Airport Manager Gage King said traffic is picking up but still slow and one individual that rents one of the Town's houses is not paying rent. Mr. King sought guidance from the Council on how to move forward with the AWOS (Automated Weather Observing System), use DOA (Department of Aviation) or NPE (Non-primary Entitlement) funds? Mr. King was advised to get more information on each option.

Library Director Sharon Robison reported that they are offering all regular services curbside and making home deliveries. Ms. Robison added that wifi is available in the parking lot and some picnic tables had been placed in front of the building. The new carpet is going to be installed and when that is complete they will be open, limiting the number of patrons in order to maintain social distance and disinfection.

Public Services Director Brent Dean said that animal control services had resumed and they are still using Duplin County inmates once a week. Mr. Dean added that Andrew Newkirk was re-hired part-time to operate the street sweeper. The bid for lift station mitigation was awarded to A.C. Schultes. Pender County is no longer drawing water and the bid opening for the wells was delayed in order to try and get more bids.

Town Planner Rod Fritz reported that some maintenance and repair landscaping was done at the Wanoca Theater and the Women's Club. He added that interviews are scheduled for the Code Compliance Specialist position and he was working on food truck and special event ordinances.

Town Manager's Report

Manager Bergman reported that there are lots of projects in the works and he would send an update soon. He added that the Program Supervisor position in Parks & Recreation had been adjusted to attract more applicants.

Closed Session

Council Member Wells made a motion to go into closed session per G.S. 143-318.11(a)(6) to evaluate the manager's performance. The motion was seconded by Council Member Rivas-Diaz and approved unanimously.

The Mayor and Council discussed their evaluation with the manager in detail and concluded that Manager Bergman should receive a 5% salary increase.

Council Member Wells made a motion to go back to open session which was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Council Member Wells made a motion to increase the manager's salary by 5%. The motion was seconded by Council Member Brinkley and approved unanimously.

With there being no other business to discuss at this time, Council Member Wells made a motion to continue the meeting on September 24, 2020 at 6:00 pm in the Council Chambers at Town Hall. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

Respectfully submitted,

Charles C. Farrior, Jr., Mayor

Jacqueline Nicholson, CMC, NCCMC
Town Clerk

**TOWN OF WALLACE
BUDGET ORDINANCE AMENDMENT #3
FOR BUDGET 2020-2021**

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the budget for the fiscal year ending June 30, 2021:			
Section I:	GENERAL FUND		
<u>Expenditures</u>	WPD COVID-19 RELIEF FUNDS EXPENSE		
Account Number	Account Description	Increase	Decrease
10-6600-580	Contingency	\$88,927.38	
10-5100-020	Salaries – Police Department		\$61,777.60
10-5100-022	Salaries – Part-time		\$192.96
10-5100-023	Overtime		\$2,813.51
10-5100-050	FICA Taxes		\$5,001.44
10-5100-060	Health Insurance		\$9,754.76
10-5100-070	Retirement		\$6,774.86
10-5100-071	401(k)		\$2,612.25
	General Fund Totals	\$88,927.38	\$88,927.38

Section II: Copy to Finance Director

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

Adopted this the 10th day of September, 2020

Attest: _____

Jacqueline Nicholson, Town Clerk

Charles C. Farrior, Jr., Mayor